

\*E-Filed 10/18/13\*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

ANGELO ANTONIO ESCALANTE,

No. C 13-0950 RS (PR)

Petitioner,

**ORDER REOPENING ACTION;**

v.

**ORDER DIRECTING PETITIONER  
TO FILE AN AMENDED PETITION**

G. LEWIS, Warden,

Respondent.

This federal habeas action was dismissed because petitioner failed to pay the filing fee. The fee has been paid. Accordingly, the action is REOPENED, and the Clerk shall amend the docket accordingly. The judgment (Docket No. 8) and the order of dismissal (Docket No. 7) are VACATED.

**Petitioner is directed to file an amended petition on or before December 1, 2013.**

The first amended petition must include the caption and civil case number used in this order (13-0950 RS (PR)) and the words FIRST AMENDED PETITION on the first page. Because an amended petition completely replaces the previous petitions, petitioner must include in his first amended petition *all* the claims he wishes to present. Failure to file an amended petition in accordance with this order will result in dismissal of this action without further notice to


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1 petitioner.

2 It is petitioner's responsibility to prosecute this case. He must keep the Court  
3 informed of any change of address by filing a separate paper with the clerk headed "Notice  
4 of Change of Address." He must comply with the Court's orders in a timely fashion or ask  
5 for an extension of time to do so. Failure to comply may result in the dismissal of this action  
6 pursuant to Federal Rule of Civil Procedure 41(b).

7 **IT IS SO ORDERED.**

8 DATED: October 18, 2013

  
RICHARD SEEBORG  
United States District Judge

United States District Court  
For the Northern District of California